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Attorney for Claimants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA

Plaintiff,

v.

APPROXIMATELY \$61,383.00 IN
UNITED STATES CURRENCY,

Defendant.

Nos. C-08-0826 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CMC**

~~CMC Date: April 2, 2010~~
Time: 10:30 a.m.

Courtroom 7, 19th Floor

TOAN HOANG, QUE NGO, JULIE LUU,

Claimants.

Counsel for claimants is presently in trial on felony child molest charges in People v. Mickle, Shasta County Superior Court No. 08-07303. When the CMC in the instant matter was scheduled no conflict was anticipated because normally the trial court does not have trial on Fridays. However, at the end of court yesterday, the state trial court indicated it is considering having trial this Friday, April 2, 2010. It is anticipated that the case will go to the jury the afternoon of Thursday, April 1, 2010. If it does, the court may allow the jury to deliberate on Friday. If the jury is allowed to deliberate on Friday, April 2, 2010, counsel for claimants will be unavailable for the CMC in the instant matter because he will have to be present in Redding, California during deliberations. The trial court did not make a final ruling, however,

1 and counsel will likely not know his availability on Friday until the end of court on Thursday,
2 April 1, 2010.

3 In order to avoid counsel's last minute unavailability, IT IS THEREFORE
4 STIPULATED by and between the parties that the CMC in this matter may be continued to April
5 30, 2010 (or any Friday after that convenient to the court).

6 SO STIPULATED.

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8 JOSEPH P. RUSSONIELLO
United States Attorney

9 Dated: March 31, 2010

10 /S/
SUSAN B. GRAY
Assistant United States Attorney

11 Dated: March 31, 2010

12 /S/
ERIK BABCOCK
Attorney for Claimants
Toan Hoang, Que Ngo and Julie Luu

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17 GOOD CAUSE APPEARING, IT IS SO ORDERED. Specifically, the Case Management
18 Conference is CONTINUED to April 30, 2010. No further Case Management Statement is
19 required.

20 Dated: March 31, 2010

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Hon. Maxine M. Chesney
U.S. DISTRICT JUDGE